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22 *and Kelly Chang Rickert*

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1 UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF CALIFORNIA

3 Christoper Kohls,

4 *Plaintiff,*

5 v.

6 Rob Bonta, et al.,

7 *Defendants.*

Case No. 2:24-cv-02527-JAM-CKD

**Stipulation to Modify Summary
Judgment Briefing Schedule**

Judge: John A. Mendez

8 The Babylon Bee, LLC, et al.

9 *Plaintiffs,*

10 v.

11 Rob Bonta, et al.,

12 *Defendants.*

Case No. 2:24-cv-02787-JAM-CKD

13 Rumble Inc., et al.

14 *Plaintiffs,*

15 v.

16 Rob Bonta, et al.

17 *Defendants.*

Case No. 2:24-cv-03315-JAM-CKD

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20 **STIPULATION**

21 **WHEREAS**, on November 15, 2024 (ECF No. 26), the Court ordered a
22 summary-judgment briefing schedule that was agreed to by all parties then in the
23 case;

24 **WHEREAS**, on December 20, 2024 (ECF No. 32), the Court consolidated
25 *Rumble Inc. v. Bonta*, No. 24-cv-03315-JAM-CKD, with *Kohls v. Bonta*, No. 24-cv-
26 02527-JAM-CKD.

1 **WHEREAS**, in light of the addition of the new parties, all parties to these
2 cases agree that the summary-judgment briefing schedule set forth at ECF No. 26
3 needs to be modified, and the parties have met and conferred and agreed upon a
4 new briefing schedule that will serve the goals of judicial efficiency by coordinating
5 all summary-judgment briefing and reducing the potential for duplication;

6 **NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by
7 and between counsel for the parties and subject to Court approval, as follows:

8 1. The parties agree to the following schedule:

9 a. By **February 19, 2025**, Plaintiffs shall file their opening consolidated
10 summary-judgment briefs — two in total, one concerning California
11 Assembly Bill (“AB”) 2655 and one concerning AB 2839 — each no
12 more than **45 pages**.

13 b. By **April 16, 2025**, Defendants shall file their consolidated cross-
14 motions for summary judgment and/or opposition briefs — two in total,
15 one concerning AB 2655 and one concerning AB 2839 — each no more
16 than **45 pages**.

17 c. By **May 16, 2025**, Plaintiffs shall file their consolidated opposition
18 and/or reply briefs — two in total, one concerning AB 2655 and one
19 concerning AB 2839 — each no more than **30 pages**.

20 d. By **June 6, 2025**, Defendants shall file their consolidated reply briefs
21 — two in total, one concerning AB 2655 and one concerning AB 2839 —
22 each no more than **30 pages**.

23 2. The parties agree to proceed immediately to summary judgment
24 without the need for any discovery at this time. In the event that the parties
25 determine that discovery is needed after the cross-motions are filed, the parties
26 shall discuss and agree to a limited period of discovery and accompanying extension
27 of time to file any remaining briefs.

1 3. The parties request the proposed timeline given the addition of *Rumble*
2 *Inc.*; Plaintiffs' desire to coordinate their separate summary-judgment motions; and
3 the upcoming holidays. Additionally, the Plaintiffs anticipate that a fourth case will
4 eventually be consolidated with this one. *See* Related Case Order, ECF No. 31
5 (relating *X Corp. v. Bonta*, No. 2:24-cv-03162-WBS-CSK). All parties have met and
6 conferred with counsel for X Corp., and anticipate that X Corp. will agree to
7 participate in this briefing schedule.

8 4. The parties agree that the Court may move to summary judgment
9 without Defendants first filing an answer. *See, e.g., Mann v. Lee*, 2009 WL
10 5178095, at *2 (N.D. Cal. Dec. 22, 2009) (citing *Marquez v. Cable One, Inc.*, 463 F.3d
11 1118, 1120 (10th Cir. 2006)).
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DATED: December 20, 2024

s/ Johannes Widmalm-Delphonse

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1 UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF CALIFORNIA

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|----|------------------------------|-----------------------------------|
| 3 | Christoper Kohls, | Case No. 2:24-cv-02527-JAM-CKD |
| 4 | <i>Plaintiff,</i> | |
| 5 | v. | [PROPOSED] ORDER Modifying |
| 6 | Rob Bonta, et al., | Summary Judgment Briefing |
| 7 | <i>Defendants.</i> | Schedule |
| 8 | | Judge: John A. Mendez |
| 9 | The Babylon Bee, LLC, et al. | Case No. 2:24-cv-02787-JAM-CKD |
| 10 | <i>Plaintiffs,</i> | |
| 11 | v. | |
| 12 | Rob Bonta, et al., | |
| 13 | <i>Defendants.</i> | |
| 14 | Rumble Inc., et al. | Case No. 2:24-cv-03315-JAM-CKD |
| 15 | <i>Plaintiffs,</i> | |
| 16 | v. | |
| 17 | Rob Bonta, et al. | |
| 18 | <i>Defendants.</i> | |
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Before the Court are Plaintiff Christopher Kohls, Plaintiffs The Babylon Bee, LLC and Kelly Chang Rickert, Plaintiffs Rumble Inc. and Rumble Canada Inc., and Defendants Rob Bonta and Shirley N. Weber's joint stipulation to modify the summary-judgment briefing schedule ordered on November 15, 2024 (ECF No. 26).

The Court ORDERS the following schedule:

1. By **February 19, 2025**, Plaintiffs shall file their opening consolidated summary-judgment briefs — two in total, one concerning California Assembly Bill ("AB") 2655 and one concerning AB 2839 — each no more than **45 pages**.

2. By **April 16, 2025**, Defendants shall file their consolidated cross-motions for summary judgment and/or opposition briefs — two in total, one concerning AB 2655 and one concerning AB 2839 — each no more than **45 pages**.

3. By **May 16, 2025**, Plaintiffs shall file their consolidated opposition and/or reply briefs — two in total, one concerning AB 2655 and one concerning AB 2839 — each no more than **30 pages**.

4. By **June 6, 2025**, Defendants shall file their consolidated reply briefs — two in total, one concerning AB 2655 and one concerning AB 2839 — each no more than **30 pages**.

DATED: _____, 2024

The Honorable John A. Mendez
Senior United States District Judge

PROOF OF SERVICE

I hereby certify that I filed a true and accurate copy of the foregoing document with the Clerk of Court using the CM/ECF system, which automatically sends an electronic notification to all counsel of record.

DATED this 20th day of December, 2024.

s/ Johannes Widmalm-Delphonse
Johannes Widmalm-Delphonse
Counsel for Plaintiffs The Babylon
Bee, LLC and Kelly Chang Rickert